

Remarks:

Claims 36-49 and 51-70 are pending and at issue in the present application, wherein the present amendment amends claim 36 and cancels claim 50.

Applicant thanks Examiner Johnson for the indication of allowable subject matter in claims 43, 51, and 59-66. However, for the reasons discussed hereinafter, it is Applicant's position that claim 36, as amended, and all of claims 37-49 and 51-70 dependent thereon are allowable over the applied references.

Specifically, Applicant respectfully traverses the rejections of claims 36-42, 44-49, 52-58, and 67-70 as obvious over Basset U.S. Patent No. 6,422,012 ("Basset") and Struble U.S. Patent No. 5,657,550 ("Struble").

Generally, the present invention provides a means for adjusting cutting edges of a cutting tool in situ in a cutting assembly without needing to remove the cutting tool from the assembly, as is the conventional practice in the art. This technical problem is discussed, for example, in the introductory part of the specification of the present application. The present invention addresses this problem by providing a system that allows the cutting edges of the cutting tool to be adjusted with the cutting tool in place. This is achieved in the present invention by providing an adjuster tool that comprises both means for adjusting the position of the cutting edge of the tool and electronic means for providing an indication of the adjustment made. It is clear from the present specification that the adjuster tool is temporarily engaged with a body holding the cutting tool to effect adjustment of the cutting edge of the tool. Thereafter, the adjuster tool can be disengaged. In other words, the adjuster tool can be employed only when the cutting tool and assembly is not cutting and only during a period of time taken for adjustment.

Referring more particularly to claim 36, the applied references do not disclose a cutting adjustment system that includes a cutting tool adjustment system comprising a body for adjustably holding a metal cutting tool, a metal cutting tool held in the body, and an adjuster tool, wherein the adjuster tool includes adjustment means mechanically releasably engageable with the body for positionally adjusting a cutting edge of the cutting tool, means electronically releasably engageable with the body and including power supply means for at least powering means providing information as to adjustment made, in use, to said cutting edge position by said

adjustment means, and wherein the adjuster tool is engaged with the body for adjusting a cutting edge of the metal cutting tool and is disengaged when the cutting tool is used for cutting.

Rather, Bassett discloses an actuator and positioning system for a cutting tool. The system comprises a positioning device 19 connected to a cutting tool having a cutting tip 42. As shown in FIG. 6, the positioning device 19 is mounted within a boring bar 40 and remains permanently secured to the cutting tool and the boring bar during normal operation. The positioning device 19 is used to adjust the position of the cutting tip 42 of the tool. However, the engagement of the positioning device 19 with the cutting tool is not releasable, as admitted on page 4 of the pending Office action.

Instead, the present rejections are based on the position that one of ordinary skill in the art would, as a matter of routine practice, assemble the system of Bassett so as to make the cutting tool and the positioning device capable of disassembly “for facilitating a repair or replacement of the parts contained within the adjustment means housing of Bassett.” Office action at page 4. However, the releasable engagement of the adjuster tool of the present invention is referring to the temporary engagement of the adjustment means and the electronic means with the body for purposes of adjusting the position of the cutting edge of the tool. The proposed modification of Bassett would not result in a system having an adjuster tool for engagement with a cutting tool body for the purposes of adjusting the cutting edge, as recited in amended claim 36. Indeed, Bassett appears to teach away from such an arrangement, requiring as it does that the positioning device 19 is within the boring bar and is permanently engaged with the cutting tool and body. In summary, without the use of impermissible hindsight, one of ordinary skill in the art would not consider the system of Bassett to teach or suggest a separate adjuster tool for temporary engagement with a cutting tool body for adjustment purposes only.


Struble does not cure the deficiencies of Bassett.

Consequently, without the use of impermissible hindsight, one of ordinary skill in the art would not combine the applied references to arrive at a cutting adjustment system, as recited by the claims at issue.

For the reasons set forth above, Applicant submits that claims 36-49 and 51-70 are allowable over the applied references and respectfully and earnestly solicits early indication of same.

If the examiner finds that there are any outstanding issues that may be resolved by a telephone interview, the examiner is invited to contact the undersigned at the below listed number.

Respectfully submitted,

By 
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